

0360
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Attn: Box Missing Parts

Masaharu ITOH

Application No.: 09/829,949

Filed: April 11, 2001

Docket No.: 104814.01

For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD,
RECORDING MEDIUM AND DATA SIGNAL PROVIDING IMAGE PROCESSING
PROGRAM

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Reply - Filing Date Granted (copy attached) mailed on December 4, 2001, applicant elects to proceed under Option III.

Attached is a Preliminary Amendment which amends the specification in the Brief Description of the Drawings to eliminate any reference to FIG. 10D.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Thomas J. Pardini
Registration No. 30,411

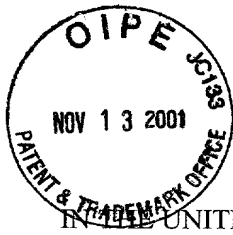
JAO:TJP/zmc

Attached: PRELIMINARY AMENDMENT

Date: December 12, 2001

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Attn: Box Missing Parts

Masaharu ITOH

Application No.: 09/829,949

Filed: April 11, 2001

Docket No.: 104814.01

For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD, RECORDING
MEDIUM AND DATA SIGNAL PROVIDING IMAGE PROCESSING PROGRAM

**RESPONSE TO NOTICE TO FILE MISSING PARTS
WITH DECLARATION AND TRANSLATION**

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted (copy attached) mailed on July 12, 2001, submitted herewith are the executed Declaration of the inventor(s) and, upon information and belief, an accurate translation of the application. Any specification attached to and referenced in the Declaration is a copy of the specification and any amendments thereto which were filed in the Office in order to obtain a filing date for the application.

	(Column 1)	(Column 2)	(Column 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER TRANSLATION	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	*8 MINUS	**20	=0	x 9	\$	x 18	\$
INDEP CLAIMS	*4 MINUS	***4	=0	x 42	\$	x 84	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+140	\$	+280	\$
					\$		\$

* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

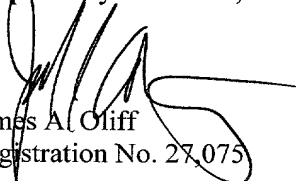
The "Highest Number Previously Paid For" in this space (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior Amendment or the number of claims originally filed.

Attached is our Check No. 124811 for ☒\$260.00 ☐\$195.00 (entitlement to small entity status is asserted) for the fee under 37 C.F.R. §1.16(e) and §1.17(k) and any excess claim fees noted above.

Entry of these documents should complete all of the filing formalities and fully satisfy all requirements of the Notice to File Missing Parts. Examination and allowance of this application in due course are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this paper are attached.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:JSA/zmc

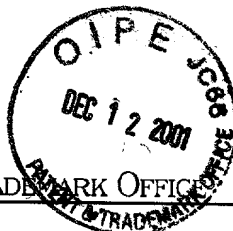
Date: November 13, 2001

OLIFF & BERRIDGE, PLC
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UNITED STATES PATENT AND TRADEMARK OFFICE



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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/829,949	04/11/2001	Masaharu Itoh	104814 01

25944
OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

CONFIRMATION NO. 7693

FORMALITIES LETTER



OC000000007152859

Date Mailed: 12/04/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 11/13/2001 to the Notice to File Missing Parts (Notice) mailed 07/12/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **10D** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete

sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

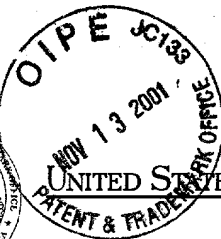
TAK

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/829,949	04/11/2001	Masaharu Itoh	104814.01

CONFIRMATION NO. 7693

25944
OLIFF & BERRIDGE, PLC
277 S. WASHINGTON STREET, SUITE 500
ALEXANDRIA, VA 22314

FORMALITIES LETTER



OC000000006290747

Date Mailed: 07/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 260.

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/14/2001 HROCHA1 00000057 09829949

02 FC:105 130.00 DP
03 FC:139 130.00 DP

FILED "04662350"